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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/587,942	09/14/2006	Laurent Clevy	Q96396	6635
23373 7590 09/26/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER AGA, SORI A	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 09/26/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/587,942

**Applicant(s)**

CLEVY ET AL.

**Examiner**

SORI A. AGA

**Art Unit**

2619

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 08/02/2006

### **DETAILED ACTION**

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites "other communication equipments" in lines 3, 5-6 and 9. It is unclear whether said communication equipments is/are the same or distinct from the "first other communication equipments" recited in lines 6-7 and the "number of other communications equipments" recited in line 9.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Network Working Group Request for comments - RFC3633 (herein after RFC) in view of Mukherjee et al. (US 2004/0006708) (herein after Mukherjee).

*Regarding claims 1 and 3*, RFC teaches a communications equipment for an IP network, including a set of interfaces each of which is connected to one or more other communication equipments, means for receiving an address prefix from a first other communication equipment, and allocation means for allocating to at least a subset of said other communication equipments to which said first other communication equipment does not belong a sub-prefix formed of said address prefix concatenated with an individual identifier [see fig. 1 and page 5 lines 7-16 where a requesting router (communication equipment) for an IPV6 network (Internet protocol communication network) receives from a delegating router (a first other communication equipment) and subnets (allocates) to links in the network (subset of other communication equipments). The delegating router (first other communication equipment) belongs to the ISP network while the links belong to the subscriber network as shown in fig.; and where the assigned new address (the sub prefix) has longer prefixes (longer prefixes)] .

However, RFC does not explicitly teach length of the identifier depends on the total number of other communication equipments.

Mukherjee teaches using number of devices (number of other communication equipments) to define the number of bits that are used to address host devices (length of identifiers that are not part of the prefix) [see paragraph 0044 lines 1-13]. It would have been obvious for a person having ordinary skill in the art at the time of the invention to make the length of the subnet mask in the RFC reference in order to efficiently utilize available number of addresses for hosts.

***Regarding claim 2***, RFC teaches the network is an IPV6 as discussed above regarding claim 1.

***Regarding claim 3***, RFC teaches A method of allocating prefixes in an Internet Protocol type communication network in which a communication equipment has a set of interfaces each of which is connected to one or more other communication equipments and means for receiving an address prefix from a first other communication equipment, in which method the communication equipment allocates to at least a subset of said other communication equipments to which said first other equipment does not belong a sub-prefix formed of said address prefix concatenated with an individual identifier [see fig. 1 and page 5 lines 7-16 where a requesting router in an IPV6 network (Internet protocol communication network) receives from a delegating router (a first other communication equipment) and subnets (allocates) to links in the network (subset of other communication equipments). The delegating router (first other communication equipment) belongs to the ISP network while the links belong to the subscriber network as shown in fig.; and where the assigned new address (the sub prefix) has longer prefixes (longer prefixes)] .

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### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SORI A. AGA whose telephone number is (571)270-1868. The examiner can normally be reached on M-Th 7:30-5:00, F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571)272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. A. A./  
Examiner, Art Unit 2619

/Edan Orgad/  
Supervisory Patent Examiner, Art Unit 2619